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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,264	06/30/2000	Anne H. Anderson	SMY-256.01	9858

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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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2134

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DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/608,264

Applicant(s)

ANDERSON ET AL.

Examiner

Christopher J Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 5 recites the limitation "cert" in line 6. There is insufficient antecedent basis for this limitation in the claim. The Examiner is interpreting "cert" as "certificate".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsson US 6,490,367 in view of "Boot Disk Recovery"

As per claim 1, and 9, Carlsson discloses a certificate generation system to facilitate in generation of a certificate in response to a certificate request, (Col 5 lines 47-53, Col 6 lines 25-35). Carlsson discloses that the system may not be remotely controlled because of security mechanisms, (Col 11, lines 25-32, 62-67).

Carlsson does not disclose a computer that is bootable from a removable medium.

“Boot Disk Recovery” discloses that PC’s may be booted from floppy disks, (page 1 lines 1-5).

It would be obvious to combine the certificate generation hardware with the ability to boot from a removable medium in case the fixed medium fails, (Boot Disk Recovery lines 1-2).

As per claims 2, 5, 6, 10, 13 and 14 Carlsson discloses the certificate authority operates under control of an operator (administrator), (Col 5 lines 55-60). The certificate generation module allows the computer to display certificate request information, and allows input from the operator to approve generation of a certificate, (Col 6 lines 63-67, Col 7 lines 1-4).

As per claims 3 and 11, Carlsson discloses that the certificate authority receives operator authentication information to verify the operator is authorized to control the certificate authority, (Col 5 lines 60-65, Col 6 lines 13-16).

As per claims 7 and 15, Carlsson discloses that the certification request is in a predetermined format,(x.509), (Col 9 lines 30-38).

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsson US 6,490,367 in view of Chaum US 4,529,870

As per claims 4 and 12, Carlsson discloses enabling the computer to generate a digital signature from information in at least one certificate using a private key, (Col 12 lines 33-39).

Art Unit: 2134

Chaum discloses encrypting and decrypting a private key with an ID, (Col 22 lines 46-50).

It would be obvious to combine the digital signature of Carlsson with the encryption of Chaum so that the keys of the CA are encrypted and secure unless used by an administrator with the correct identification.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsson US 6,490,367 in view of Richard US 5,922,074

As per claims 8, and 16 Carlsson does not disclose storing certificate requests remotely. Richard discloses storing certificate requests remotely (directory server), (Col 3 lines 42-46).

It would be obvious to combine the Certificate system of Carlsson with the remote storage of Richard because the storage allows for requests to be accepted faster than requests are processed.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J Brown whose telephone number is 703-305-8023. The examiner can normally be reached on 8:30-6:00.

Art Unit: 2134

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown



GREGORY MORSE
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